

Legislative Rule-Making Review Committee
Minutes for Friday, August 20, 2021

Senate Judiciary Committee Room
9:00 a.m. to 5:00 p.m.

Senate

Sypolt, Chair	Present
Jeffries	Present
Lindsay	Present
Roberts	Present
Rucker	Present
Weld	
Blair, Nonvoting	

House

Foster, G., Chair	Present
Fleischauer	Present
Graves	Present
Rowe	Present
Steele	Present
Worrell	Present
Hanshaw, Nonvoting	

The Legislative Rule-Making Review Committee met in the Senate Judiciary Committee Room at 9:00 a.m. on Friday, August 20, 2021. The meeting was called to order by the Chair, Delegate Foster. A silent roll call was taken by the Clerk to establish a quorum, as reflected above. Staff present included: Jeff Johnson, Senate Counsel; Jaclyn Schiffour, House Counsel; Liz Schindzielorz, Senate Counsel; Max Wilkinson, House Counsel; Adair Sankoff, Director of Legislative Rule-Making Review Committee; and Felisha Sutherland, Committee Clerk.

1. Jeff Johnson, Senate Counsel, explained his abstract on the rule proposed by the **Insurance Commission**, *Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters*, [114 CSR 42](#), and responded to questions from the Committee.

On motion of Senator Sypolt, the rule was approved as filed.

2. Jeff Johnson, Senate Counsel, reviewed his abstract on the rule proposed by the **Insurance Commission**, *Adoption of Valuation Manual*, [114 CSR 98](#).

On motion of Senator Sypolt, the rule was approved as filed.

3. Jeff Johnson, Senate Counsel, explained his abstract on the rule proposed by the **Insurance Commission**, *Bail Bondsmen in Criminal Cases*, [114 CSR 103](#), and responded to questions from the Committee.

With leave of the Committee, Erin Hunter, Deputy Commissioner/General Counsel for the Insurance Commission, responded to questions from the Committee.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

4. Jeff Johnson, Senate Counsel, reviewed his abstract on the rule proposed by the **Tax**, *West Virginia Tax Credit for Federal Excise Tax Imposed Upon Small Arms and Ammunition Manufacturers*, [110 CSR 13KK](#), and responded to questions from the Committee.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

5. Jeff Johnson, Senate Counsel, explained his abstract on the rule proposed by the **Tax**, *Exemption for Repair, Remodeling and Maintenance of an Aircraft*, [110 CSR 15L](#), and responded to questions from the Committee.

With leave of the Committee, Steve Stockton, Supervising Attorney for the State Tax Department Legal Division, responded to questions from the Committee.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

6. Jaclyn Schiffour, House Counsel, reviewed her abstract on the rule proposed by the **Treasurer**, *Substitute Checks-Exceptional Items Fund*, [112 CSR 02](#).

On motion of Senator Sypolt, the rule was approved as filed.

7. Jaclyn Schiffour, House Counsel, explained her abstract on the rule proposed by the **Treasurer**, *Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies*, [112 CSR 04](#).

On motion of Senator Sypolt, the rule was approved as filed.

8. Jaclyn Schiffour, House Counsel, reviewed his abstract on the rule proposed by the **Treasurer**, *Selection of State Depositories for Disbursement Accounts through Competitive Bidding*, [112 CSR 06](#), and responded to questions from the Committee.

With leave of the Committee, Lindsay Marchio, Deputy General Counsel for the Treasurer's Office, responded to questions from the Committee.

On motion of Senator Sypolt, the rule was approved as filed.

9. Jaclyn Schiffour, House Counsel, explained his abstract on the rule proposed by the **Treasurer**, *Selection of State Depositories for Receipt Accounts*, [112 CSR 07](#).

On motion of Senator Sypolt, the rule was approved as filed.

10. Jaclyn Schiffour, House Counsel, reviewed his abstract on the rule proposed by the **Treasurer**, *Procedures for Processing Payments from the State Treasury*, [112 CSR 08](#).

On motion of Senator Sypolt, the rule was approved as filed.

11. Jaclyn Schiffour, House Counsel, explained her abstract on the rule proposed by the **Treasurer**, *Reporting Debt*, [112 CSR 10](#).

On motion of Senator Sypolt, the rule was approved as filed.

12. Jaclyn Schiffour, House Counsel, reviewed her abstract on the rule proposed by the **Treasurer**, *Procedure for Fees in Collections by Charge, Credit or Debit Card or by Electronic Payment*, [112 CSR 12](#).

On motion of Senator Sypolt, the rule was approved as filed.

13. Jaclyn Schiffour, House Counsel, explained her abstract on the rule proposed by the **Treasurer**, *Procedures for Providing Services to Political Subdivisions*, [112 CSR 13](#).

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

On motion of Senator Sypolt, the rule was reconsidered.

On motion of Senator Sypolt, the rule was approved as filed.

14. Liz Schindzielorz, Senate Counsel, reviewed her abstract on the rule proposed by the **Department of Environmental Protection**, *Ambient Air Quality Standards*, [45 CSR 08](#), and responded to questions from the Committee.

With leave of the Committee, Jason Wandling, General Counsel for the Department of Environmental Protection, responded to questions from the Committee.

On motion of Senator Sypolt, the rule was approved as filed.

15. Liz Schindzielorz, Senate Counsel, explained her abstract on the rule proposed by the **Department of Environmental Protection**, *Standards of Performance for New Stationary Sources*, [45 CSR 16](#), and responded to questions from the Committee.

With leave of the Committee, Jason Wandling, General Counsel for the Department of Environmental Protection, responded to questions from the Committee.

On motion of Senator Sypolt, the rule was approved as filed.

16. Liz Schindzielorz, Senate Counsel, reviewed her abstract on the rule proposed by the **Department of Environmental Protection**, Control of Air Pollution from Combustion of Solid Waste, [45 CSR 18](#).

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

17. Liz Schindzielorz, Senate Counsel, explained her abstract on the rule proposed by the **Department of Environmental Protection**, Emission Standards for Hazardous Air Pollutants, [45 CSR 34](#).

On motion of Senator Sypolt, the rule was approved as filed.

18. Max Wilkinson, House Counsel, reviewed his abstract on the rule proposed by the **Division of Natural Resources**, Public Shooting Ranges, [58 CSR 38](#), and responded to questions from the Committee.

With leave of the Committee, Gary Foster, Assistant Chief - Game Manager with the Division of Natural Resources, responded to questions from the Committee.

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

19. Max Wilkinson, House Counsel, explained his abstract on the rule proposed by the **Division of Natural Resources**, General Hunting, [58 CSR 49](#).

On motion of Senator Sypolt, the rule was approved as filed.

20. Max Wilkinson, House Counsel, reviewed his abstract on the rule proposed by the **Division of Natural Resources**, Lifetime Hunting, Trapping, and Fishing Licenses, [58 CSR 67](#).

On motion of Senator Sypolt, the agency agreed to modifications were adopted.

On motion of Senator Sypolt, the rule was approved as modified.

21. Reconsideration of Division of Natural Resources, Commercial Whitewater Outfitters, [58 CSR 12](#)

On motion of Senator Sypolt, the Committee voted to reconsider the rule approved as modified.

On motion of Senator Sypolt, the rule was laid over to a future meeting.

22. Reconsideration of Division of Natural Resources, Boating Rule, [58 CSR 25](#)

On motion of Senator Sypolt, the Committee voted to reconsider the rule approved as modified.

On motion of Senator Sypolt, the rule was laid over to a future meeting.

23. Reconsideration of Division of Natural Resources, Special Boating Rule, [58 CSR 26](#)

On motion of Senator Sypolt, the Committee voted to reconsider the rule approved as modified.

On motion of Senator Sypolt, the rule was laid over to a future meeting.

With no further business to come before the Committee, Senator Sypolt moved to adjourn. The motion was adopted.